

MINUTE ITEM

33. STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2274.2, AND 3375.

The attached Calendar Item 25 was presented to the Commission for information.

Attachment

Calendar Item 25 (2 pages)

CALENDAR ITEM

INFORMATIVE

25.

STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2274.2, AND 3375.

1. Case No. 800-58 WM Civil W.O. 3019  
U.S. vs. Anchor Oil Corporation, et al.  
U.S.D.C., Southern District, Los Angeles County  
(Long Beach Subsidence Matter)

(Request by U.S. for court order to shut down Wilmington Field if satisfactory subsurface repressuring programs for land-surface-subsidence alleviation are not put into operation.)

No change in status since reports given at meetings of October 29 and of November 18; i.e., a copy of the plaintiff United States' reply to the State's Counterclaim was received August 12, 1959. Discovery proceedings have commenced. Plaintiff United States has served written interrogatories on various codefendants but not on defendant State of California. It is anticipated that defendants will serve written interrogatories on the Federal Government.

2. Case No. 683,824 W.O. 2224  
People vs. City of Long Beach  
Los Angeles County Superior Court  
(Alamitos Bay Quitclaim Litigation)

(Resolution of question of whether title to oil and gas is vested in City or State in lands granted to City by State and subsequently quitclaimed to State by City.)

On November 24, 1959, trial commenced; trial briefs filed by both litigants, and evidence offered and received. Trial continued to January 18, 1960, to await filing of additional briefs.

3. Case No. 70717 W.O. 2274.2  
County of Orange vs. State of California, et al.  
Orange County Superior Court

(Claim by Orange County that a legislative grant to the County of tide and submerged lands in Newport Bay conveyed to the County all tide and submerged lands within the County (with the exception of a grant to the City of Newport Beach).)

On November 16, 1959, the American Marine Exploration Co., Inc., through its President, Wesley West, delivered a written Notice of Intent to Terminate Contract. Certain additional formalities are required, and the Attorney General is not advised at this time whether same have been accomplished. There is speculation in

INFORMATIVE 25. (CONTD.)

the press whether the County of Orange desires to continue the proceeding at public expense.

4. Case No. 23425, 2d Civil  
Abbot Kinney Company, et al. vs. City of Los Angeles  
Los Angeles No. 25166  
Supreme Court of the State of California

W.O. 3375

(Involves title to artificially caused accretions, and also involves interpretation of Section 6308 of the Public Resources Code, which makes the State a necessary part to any action involving the title to or boundaries of tide or submerged lands granted by the Legislature in trust to cities, counties, and other political subdivisions.)

On November 17, 1959, the Supreme Court filed an unanimous opinion sustaining the Attorney General's contention that the State is an indispensable party to this proceeding. Since the State was not made a party at the trial level, the matter has been remanded to the Los Angeles Superior Court for a new trial in which the State will participate. It is not anticipated that this trial will take place for at least one year.